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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,938	08/26/2003	Nasir J. Zaidi	14074-0001	5939

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EXAMINER	
VALENTIN, JUAN D	

ART UNIT	PAPER NUMBER
2877	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/648,938	ZAIDI ET AL.	
	Examiner	Art Unit	
	Juan D. Valentin II	2877	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 October 0200* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Claim 11 objected to because of the following minor informalities: It ends with a semi-colon instead of a period. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1- rejected under 35 U.S.C. 102(b) as being anticipated by Lewin et al. (USPN '637, hereinafter Lewin).

Claims 1, 8-14, & 24-30

Lewin discloses in conjunction with Figs. 1 & 2, a device for measuring the intensity of light from a source in situ, the device comprising a photometer including a detector 20, and a collector 10 for engaging with the photometer such that light from the source is incident on the detector 20, the collector 10 including a hood 10 for engaging the source such that ambient light is prevented from entering the hood (Fig. 1 & 2), and optics 17, 18, & a reflective coating 19 on the inside of hood 10 disposed within the hood 10 for directing light from the source onto the detector 20 (abstract, col. 3, line 44-col. 6, line 47). Lewin further discloses wherein the device measures intensity of light from a plurality of sources each having a configuration (8" & 12"

traffic signals) and displays the results on a display (col. 5, lines 17-45), at least one of the sources having a configuration that is different from that of the other sources comprising two different hoods (8" & 12" hood) each engageable with the photometer 20.

The method is suggested by the functions set forth with regards to the apparatus claims 1 & 8-14 as rejected above in view of Lewin.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 31-39 rejected under 35 U.S.C. 102(e) as being anticipated by Hutchinson (USPN '716).

Claims 31-39

Hutchinson discloses a method of measuring the intensity of light from a source comprising receiving only light from the source, diffusing the received light, and detecting the diffused light (col. 9, line 41-col. 11, line 49). Hutchinson further discloses generating an output signal indicative of the source degradation over time and further estimating when the intensity will fall below a threshold and calibrating (feedback) the light measured from the light source (col. 12, lines 1-28).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2-7, 15-22, & 40, 41, & 43 rejected under 35 U.S.C. 103(a) as being unpatentable over Lewin in view of Hutchinson.

Claims 2-7

Lewin substantially teaches the claimed invention except that it fails to show a planar diffuser made of a translucent material. Hutchinson shows that it is known to provide a planar diffuser made of a translucent material (col. 6, lines 38-54, col. 7, line 15-col. 8, line 10, col. 10, lines 8-20, & col. 12, lines 29-50) for a traffic signal control system. It would have been obvious to someone of ordinary skill in the art to combine the device of Lewin with the optical diffuser of Hutchinson for the purposes of providing a homogenous light beam of constant intensity.

Claims 15-20

Lewin substantially teaches the claimed invention except that it fails to show a calibration circuit for selectively providing a plurality of calibration signals each corresponding to light from one of a plurality of sources. Hutchinson shows that it is known to provide a calibration circuit for selectively providing a plurality of calibration signals each corresponding to light from one of a plurality of sources (col. 3, lines 23-27, col. 9, line 41-col. 11, line 49, & col. 12, lines 1-28) for a traffic signal control system. It would have been obvious to someone of ordinary skill in the art to combine the device of Lewin with the feedback system of Hutchinson for the purposes of

providing an advantageous technique to compensate for the temporary light output reduction when LEDs become heated (Hutchinson, col. 10, lines 40-54).

Claims 21 & 22

Lewin discloses a remote unit (Fig. 1), and substantially teaches the claimed invention except that it fails to show a circuit for wirelessly transmitting data to a remote unit. Hutchinson shows that it is known to provide a circuit for wirelessly transmitting data to a remote unit (col. 10, line 54-col. 11, line 4) for a traffic signal control system. It would have been obvious to someone of ordinary skill in the art to combine the device of Lewin with the feedback system of Hutchinson for the purposes of providing an advantageous technique to compensate for the temporary light output reduction when LEDs become heated (Hutchinson, col. 10, lines 40-54).

Claims 40-41 & 43

Lewin in conjunction with Figs. 1& 2 discloses a photometer including a detector 20 for generating a signal indicative of the intensity of the light from the traffic signal, circuitry connected for processing the signal from the detector, and an output for displaying a signal responsive to the processed signal (Fig. 7), and a plurality of collectors 10 (8" & 12") each being releasably engageable with the photometer, each of the collectors 10 including a hood 10 having a configuration for engaging with a respective one of the traffic signals such that ambient light is prevented from entering the hood and all of the light emitted by the LED array enters the hood 10, and optics 17 & 18 disposed within the hood for directing light from the LED array of the traffic signal being measured onto the detector, the optics including a reflective layer 19 disposed on an inside surface of the hood for reflecting light incident thereon.

Lewin substantially teaches the claimed invention except that it fails to show a planar diffuser made of a translucent material. Hutchinson shows that it is known to provide a planar diffuser made of a translucent material (col. 6, lines 38-54, col. 7, line 15-col. 8, line 10, col. 10, lines 8-20, & col. 12, lines 29-50) for a traffic signal control system. It would have been obvious to someone of ordinary skill in the art to combine the device of Lewin with the optical diffuser of Hutchinson for the purposes of providing a homogenous light beam of constant intensity.

Lewin substantially teaches the claimed invention except that it fails to show a calibration circuit for selectively providing a plurality of calibration signals each corresponding to light from one of a plurality of sources. Hutchinson shows that it is known to provide a calibration circuit for selectively providing a plurality of calibration signals each corresponding to light from one of a plurality of sources (col. 3, lines 23-27, col. 9, line 41-col. 11, line 49, & col. 12, lines 1-28) for a traffic signal control system. It would have been obvious to someone of ordinary skill in the art to combine the device of Lewin with the feedback system of Hutchinson for the purposes of providing an advantageous technique to compensate for the temporary light output reduction when LEDs become heated (Hutchinson, col. 10, lines 40-54).

5. Claim 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Lewin in view of Hutchinson and further in view of Yuasa et al. (USPN '386, hereinafter Yuasa).

Claim 42

Lewin in view of Hutchinson substantially teaches the claimed invention except that it fails to show a converter circuit to the detector for converting an analog signal from the detector to a digital signal for further processing. Yuasa shows that it is known to provide a converter

circuit to the detector for converting an analog signal from the detector to a digital signal for further processing (col. 3, line 58-col. 4, line 31) for a traffic signal control system. It would have been obvious to someone of ordinary skill in the art to combine the device of Lewin in view of Hutchinson with the A-D converter system of Yuasa for the purposes of providing a light measure circuit actuation to produce a signal a light intensity signal indicative of brightness or light intensity (Yuasa, col. 3, lines 60-64).

6. Claim 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Lewin in view of Ovens et al. (U.S. Provisional Application Number 60/306232, hereinafter Ovens).

Claim 23

Lewin substantially teaches the claimed invention except that it fails to show a temperature sensor in communication with the photometer for measuring temperature of the source. Ovens shows that it is known to provide a temperature sensor in communication with the photometer for measuring temperature of the source (pg. 2, line 9-pg. 3, line 12) for a traffic signal control system. It would have been obvious to someone of ordinary skill in the art to combine the device of Lewin with the source temperature sensor of Ovens for the purposes of providing a self-adjusting light output in response to a change in temperature of the light source (Ovens, pg. 3, lines 9-10).

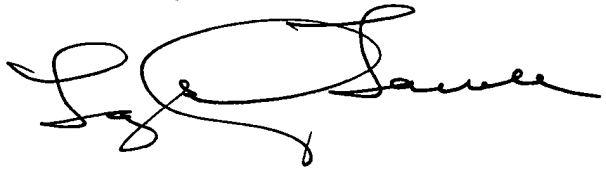
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juan D. Valentin II whose telephone number is (571) 272-2433. The examiner can normally be reached on Mon.-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LAYLA G. LAUCHMAN
PRIMARY EXAMINER



Juan D Valentin II
Examiner 2877
JDV
December 20, 2005